

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

HONORABLE JOSEPH KREAMER

CLERK OF THE COURT
C. Vigil
Deputy

IN RE THE MARRIAGE OF
BAMBI BLAIRE WILLIAMS

M PAUL FISCHER

AND

KENNETH MARK WILLIAMS

DORIAN L EDEN

WILLIAM T LUZADER III
RAD L VUCICHEVICH
TODD FELTUS

MINUTE ENTRY

Northeast Facility, Courtroom 110

9:21 a.m. This is the time set for a Status Conference. Petitioner, Bambi Williams, is present with counsel, M. Paul Fischer. Respondent, Kenneth Williams, is present with counsel, Dorian Eden. Counsel Todd Feltus is present on behalf of Preservation Inc., P.I. Vernon, LLC, P.I. Hamilton, LLC, P.I. Rocky Point, LLC and CHOC, Inc. Counsel William Luzader is present on behalf of HGH Electric, Inc.

A record of this proceeding is made by audio and/or video in lieu of a court reporter.

Discussion ensues between the Court and counsel regarding scheduling deadlines and hearing dates.

IT IS ORDERED vacating the Status Conference previously set on February 24, 2016.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

IT IS FURTHER ORDERED vacating the Trial dates of April 11, 2016, April 12, 2016, April 13, 2016 and April 15, 2016.

IT IS FURTHER ORDERED converting the Trial date of April 14, 2016 into an Evidentiary Hearing to determine whether the entities should be joined as parties to this action, and if so, in what form.

Time Allotted: 1 day (8:30 a.m. to 12:00 p.m. and 1:30 p.m. to 5:00 p.m.) The Court will reserve ten minutes from each hour of trial for preliminary matters, procedural issues, and for breaks.

IT IS FURTHER ORDERED that the reports from Father's experts (Gorman & Hughes) shall be completed and provided to counsel by March 4, 2016.

The Court expects the deposition of Craig Reinmuth to occur some time in the month of March, 2016. The Court expects the parties to cooperate with respect to the time, but the parties have agreed to more than the four (4) hour time limitation.

LET THE RECORD REFLECT that motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances.

IT IS FURTHER ORDERED all discovery shall be completed by March 14, 2016.

A **Pre Hearing Position Statement** shall be filed by the parties no later than April 11, 2016.

IT IS ORDERED that the parties and, if represented, counsel shall provide to the clerk of this division **any exhibits they shall seek to admit into evidence.** All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than **11:00 a.m. on April 7, 2016.** **All exhibits shall be hand-delivered directly to court staff at this Division's suite.** A complete additional set of exhibits for the Bench shall be delivered at the same time as the exhibits for marking, preferably in three-hole binders with numbered dividers. No Trial exhibits shall be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. If any individual exhibit exceeds ten (10) pages in length, each page of said exhibit shall be Bates stamped (or the pages shall be numbered). **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

IF EITHER PARTY FAILS TO APPEAR FOR HEARING, THE HEARING MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE HEARING MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

In the event that the parties have any difficulties interpreting, enforcing or otherwise complying with provisions of this Order, they shall first seek mediation through a qualified mediator of their mutual selection to attempt to reach agreement prior to seeking Court intervention.

LET THE RECORD REFLECT that this Court cannot guarantee the quality of the reception and whether a person can hear or be heard during a telephonic appearance if requested and granted. If there is difficulty with the telephonic appearance the above-set Trial will NOT be reset. Please be sure that any telephonic appearance **MUST** be from a land line, not a cell phone, and not on speaker phone.

IT IS FURTHER ORDERED resetting the Trial to **June 27, 2016, June 28, 2016 and June 29, 2016** before:

**The Honorable Joseph Kreamer
Maricopa County Superior Court
Northeast Regional Court Center
18380 North 40th Street, Courtroom 110
Phoenix, Arizona 85032**

Time Allotted: 3 days (9:00 a.m. to 12:00 p.m. and 1:30 p.m. to 4:30 p.m. each day) The Court will reserve ten minutes from each hour of trial for preliminary matters, procedural issues, and for breaks.

LET THE RECORD REFLECT that motions to continue the trial filed more than 30 days before trial will not be granted absent a showing of good cause. Motions to continue the trial filed less than 30 days before trial will not be granted absent a showing of extraordinary circumstances.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

IT IS FURTHER ORDERED all discovery shall be completed by May 27, 2016.

A **Pretrial Statement** shall be filed by the parties no later than June 17, 2016. If a Joint Pretrial Statement is impossible, then this Court will accept Separate Pretrial Statements. If the parties want to make an opening statement, it may be included in the Pretrial Statement. The Pretrial Statement should contain, at a minimum, the following:

1. The uncontested facts;
2. The disputed issues;
3. Trial witnesses;
4. Trial exhibits;
5. Rule 69 agreements; and
6. Any other information that the parties believe would assist the Court.

In addition, each party shall attach to the Pretrial Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.

Objections and pretrial motions not filed by June 17, 2016 will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present the Joint Pretrial Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court may direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

IT IS ORDERED that the parties and, if represented, counsel shall provide to the clerk of this division any exhibits they shall seek to admit into evidence. **All exhibits must be clearly identified, separated by a COLORED sheet and hand delivered to the Clerk of this Division no later than 11:00 a.m. on June 20, 2016. All exhibits shall be hand-delivered directly to court staff at this Division's suite.** A complete additional set of exhibits for the Bench shall be delivered at the same time as the exhibits for marking, preferably in three-hole binders with numbered dividers. No Trial exhibits shall be presented for marking that have not been previously exchanged. No duplicate exhibits shall be presented for marking. If any individual exhibit exceeds ten (10) pages in length, each page of said exhibit shall be Bates stamped (or the pages shall be numbered). **Failure to obey these orders may result in exclusion of the exhibit and/or waiver of objections.**

IF EITHER PARTY FAILS TO APPEAR FOR TRIAL, THE TRIAL MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.

IF BOTH PARTIES FAIL TO APPEAR, THE TRIAL MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.

NOTE: All court proceedings are recorded by audio method and not by a court reporter. Any party may request the presence of a court reporter by contacting this Division **five (5) court business days** before the scheduled hearing.

In the event that the parties have any difficulties interpreting, enforcing or otherwise complying with provisions of this Order, they shall first seek mediation through a qualified mediator of their mutual selection to attempt to reach agreement prior to seeking Court intervention.

LET THE RECORD REFLECT that this Court cannot guarantee the quality of the reception and whether a person can hear or be heard during a telephonic appearance if requested and granted. If there is difficulty with the telephonic appearance the above-set Trial will NOT be reset. Please be sure that any telephonic appearance **MUST** be from a land line, not a cell phone, and not on speaker phone.

NOTICE

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FN 2013-051684

01/05/2016

You may request conclusions of fact and law on the following issues, if they are contested: child custody, relocation requests, spousal maintenance, community property, community debt and child support. To request conclusions of fact and law, you must file a written request with the court before the trial or the evidentiary hearing. If you make a written request before the trial or evidentiary hearing, the court will make conclusions of fact and law as part of the final decision.

If any party asks the Court to make findings of fact and law on any issue, each party must file written proposed findings of fact and law on those issues. The proposed findings also must be submitted in an electronic form that is editable, preferably Microsoft Word. The proposed findings must be submitted with the Pretrial Statement.

NOTE: All court proceedings are recorded by audio and video method and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

10:14 a.m. Hearing concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.